

Pennsylvania Member of Congress Tracking Report - 05.24.20

This is a 100% volunteer effort brought to you by a handful of progressive Democrats and Independents who share a vision of an informed electorate. We want to offer a big thank you to the Pennsylvania Together and Pennsylvania Statewide Indivisible organizations who host our report and help us share it out to the residents of our Commonwealth!

Tracking Congress in the Age of Trump

The lower the number, the more the legislator votes in opposition to the Trump agenda.

Member of Congress	This week's score	Change from last report
Senator Bob Casey (D)	29.8%	0.0%
Senator Pat Toomey (R)	87.9%	0.0%
PA-01 Rep. Brian Fitzpatrick (R)	64.7%	+0.2%

Nate Silver's [FiveThirtyEight website](#) assesses the voting records of our MoCs to provide this index, by comparing any bills where President Trump has stated a position, and comparing the vote of the legislator to that opinion. The one item scored was last week's HEROES Act vote in the House.

Want to see exactly what votes went into giving your MoC the numbers above? Click on the name of any legislator and you will be brought to their 538 webpage, where all of the positions that went into the index are listed in an easy-to-read format.

Votes of Interest - Mitch McConnell's Confirmation extravaganza

Instead of moving forward with negotiations with a phase four coronavirus response package, Mitch McConnell responded to last week's passage of the HEROES ACT by ignoring the coronavirus pandemic completely, and pretending it didn't exist. Instead, he chose to display his control by pushing through a number of judicial and bureaucratic confirmations... while the death toll in the United States approached 100,000 people, the unemployment number grew to over 38 million people, and testing and tracing lags behind all other industrialized nations.

Bureaucratic nomination #1

[Senate Confirmation Vote](#) on John L. Ratcliffe to be Director of National Intelligence

You may remember that last summer, Texas Congressman John Ratcliffe was floated as a potential Director of National Intelligence by President Trump, only to be withdrawn over his lack of national security or intelligence experience, and him misrepresenting and inflating his experience in those fields. Despite all that he was formally nominated this spring, and confirmed this week.

Senator Ron Wyden, (D-WA) told [NPR](#) that Ratcliffe "dance[d] around direct questions" at the confirmation hearing. Sen. Wyden added, "If you're John Ratcliffe, the intelligence really doesn't matter. All that matters is that he makes Donald Trump happy. And if Donald Trump doesn't want to acknowledge that the Russians helped him, then those are John Ratcliffe's marching orders."

The [Associated Press](#) spoke to Independent Senator Angus King of Maine, and reported the following: Maine Sen. Angus King, an independent who caucuses with Democrats and a member of the Senate intelligence panel, said he has concerns that Ratcliffe has limited experience in the intelligence community yet extensive experience in politics. "A dangerous combination," he said.

“Now more than ever it is vital that the DNI respect the critical firewall that must exist between intelligence and political calculations — especially if the truth isn’t what the boss wants to hear,” King said.

Ratcliffe is the first Director of National Intelligence confirmed on a partisan vote since the position was created.

Vote date: Thursday, May 21, 2020

Vote Tally: 49-44

Party Breakdown: This was a pure party line vote, with all Republicans present voting YES, and all Democrats and Independents present voting NO.

Additional Reading:

- [“Senate confirms Ratcliffe as Trump's intelligence director,”](#) from *Politico*
- [“Senate confirms Ratcliffe to lead intelligence community under fire,”](#) from *CNN Politics*
- [“Divided Senate confirms Ratcliffe as intelligence chief,”](#) from *the Associated Press*

Bob Casey voted NO and Pat Toomey voted YES

Bureaucratic nomination #2

[Senate Confirmation Vote](#) on James E. Trainor III to be a Member of the Federal Election Commission for a term expiring April 30, 2023

It is the normal procedure for presidential administrations to nominate people to fill vacancies to the Federal Elections Commission in pairs, one of each party. But the Trump Administration disregarded that custom, opting to nominate one Republican, and leaving two seats on the FEC to remain vacant.

James Trainor is a former volunteer on the Trump campaign. [CNN Politics](#) reports that Trainor has voiced “opposition to full disclosure of political donors” and they reported on “his work to redraw political maps in Texas.” Both of these factors shed doubt on his ability to fairly administer and lead at a commission decided to ensuring full disclosure of campaign funding, and fair administration of elections.

Vote date: Tuesday, May 19, 2020

Vote Tally: 49-43

Party Breakdown: This was another pure party line vote, with all Republicans present voting YES, and all Democrats and Independents present voting NO.

Additional Reading:

- [“Election watchdog regains policing powers with new member,”](#) from *CNN Politics*
- [“Austin attorney, Trump volunteer confirmed to Federal Election Commission post,”](#) from *the Austin Statesman*
- [“Senate confirms Trump appointee to Federal Election Commission, restoring panel’s voting quorum for first time since August,”](#) from *the Washington Post*

Bob Casey voted NO and Pat Toomey voted YES

Judicial confirmation #1

[Senate Confirmation Vote](#) on Scott H. Rash to be a United States District Judge in Arizona

Mr. Rash was recommended for the federal bench by the late senator John McCain and former senator Jeff Flake. He worked in private practice for 20 years before becoming a state judge in Arizona. As with most Trump judicial nominees, Mr. Rash is a member of the Federalist Society, having joined around the time of his nomination in 2018.

[The Vetting Room](#) says this of his judicial philosophy: “On the bench, Rash has developed a fairly

conservative jurisprudence, frequently interpreting criminal laws expansively and protections narrowly.” But the same article notes, “Given Rash’s extensive experience with litigation both as an attorney and as a judge, it is hard to dispute that he possesses the basic qualifications to be a federal judge. While he may draw a few negative votes for his conservative jurisprudence, this is unlikely to seriously damage his confirmation.”

Vote date: Tuesday, May 19, 2020

Vote Tally: 74-20

Party Breakdown: The Republicans and Independent present voted YES and they were joined by 22 Democrats. All twenty NO votes were from Democrats.

Additional Reading:

- [“Judge Scott Rash – Nominee to the U.S. District Court for the District of Arizona,”](#) from *The Vetting Room*
- [“Senate confirms Arizona judicial nominee Scott Rash with McSally, Sinema support,”](#) from *AZ Central*
- [“This week: McConnell tees up nominations ahead of Memorial Day,”](#) from *The Hill*

Bob Casey voted NO and Pat Toomey voted YES

Judicial confirmation #2

[Senate Confirmation Vote](#) on Anna M. Manasco to be a United States District Judge in Alabama

Anna Manasco is a 40-year old graduate of Yale Law School and a former clerk for Judge William Pryor on the United States Court of Appeals for the Eleventh Circuit. She has spent her entire legal career in private practice at the Birmingham office of Bradley Arant Boult Cummings LLP. [The Vetting Room](#) notes that “Manasco has never tried a case to a jury in either state or federal court.”

Vote date: Wednesday, May 20, 2020

Vote Tally: 71-21

Party Breakdown: The Republicans and Independent voted YES, along with twenty-one Democrats, while the NO votes came from the remaining twenty-one Democrats present.

Additional Reading:

- [“Anna Manasco – Nominee to the U.S. District Court for the Northern District of Alabama,”](#) from *The Vetting Room*
- [“Shelby: Senate confirms Birmingham’s Anna Manasco as U.S district judge,”](#) from *the AL Reporter*
- [“Birmingham attorney confirmed as federal judge,”](#) from *the Birmingham Business Journal*

Bob Casey voted YES and Pat Toomey voted YES

Judicial confirmation #3

[Senate Confirmation Vote](#) on John F. Heil III to be United States District Judge in Oklahoma

John Heil is an experienced attorney who has worked in both private practice and public service. Prior to his confirmation he worked at the Tulsa office of Hall Estill Hardwick Gable Golden & Nelson P.C., and he served as state prosecutor in the Tulsa County District Attorney’s Office during the 1990s.

Vote date: Wednesday, May 20, 2020

Vote Tally: 75-17

Party Breakdown: The seventeen opposing votes all came from Democrats.

Additional Reading:

- [“John Heil – Nominee to the Eastern, Northern, and Western Districts of Oklahoma,”](#) from *The Vetting Room*

- [“Senate confirms Tulsa attorney to federal judicial post,”](#) from *TulsaWorld*

Bob Casey voted YES and Pat Toomey voted YES

Unanimously passed legislation

The following bills were passed through unanimous consent or voice vote (which presumes unanimity, as any member can object to the voice vote and ask for a roll call). This list excludes bills related to post offices, stamps, memorials, awareness weeks and other ceremonial activities.

- [S.945](#) - Holding Foreign Companies Accountable Act
- [S.1380](#) - Due Process Protections Act
- [S.2927](#) - NIMHD Research Endowment Revitalization Act
- [S.3782](#) - Small Business Lending Continuity Act

The Senate also dealt with the simmering issue of the [FBI investigation on insider trading and stock sales](#) which necessitated the replacement of Senator Richard Burr with Senator Marco Rubio as Chairman of the Senate Intelligence Committee. They passed [S.Res.584](#) - A resolution to constitute the majority party's membership on certain committees for the One Hundred Sixteenth Congress, or until their successors are chosen, via unanimous consent.

MoC Twitter Action

Twitter Action - Coronavirus response

● Senator Bob Casey, @SenBobCasey, [05/22/20](#):

“McConnell & Republicans gave billions to the super-rich & corporations under the 2017 tax law, but essential support for a hardworking person who is unemployed during this pandemic is apparently a national disgrace which will not stand. He serves Republican donors, not the people”



Mitch McConnell promised House Republicans today that the beefed up unemployment benefits enacted earlier this spring "will not be in the next bill"



McConnell vows end to enhanced unemployment benefits
The Senate majority leader took a hard line in a conference call with House Republicans.
[politico.com](#)

● Senator Pat Toomey, @SenToomey, [05/21/20](#):

“Join me @10AM for a virtual roundtable on safely restarting youth baseball/softball. With me will be @Phillies great Jimmy Rollins, softball star Jennie Finch, Little League president Stephen Keener, @MLB's Tony Reagins, & Stanford doctor Jay Bhattacharya.” *tweeted with a link to [YouTube](#)*

- PA-01's Rep. Brian Fitzpatrick, @RepBrianFitz, [05/22/20](#):



Congressman Brian Fitzpatrick ✓

May 22 at 10:17 AM · 🌐

I stand with Rep. Frank Farry, Senator Robert "Tommy" Tomlinson, and our Bucks County Delegation in calling on the state government to allow our community's businesses to reopen when meeting safety requirements established by our local health officials and county commissioners. Our community's business owners are smart people who know how to keep their employees and their customers safe. They have done everything that was asked of them. They deserve everyone's trust and confidence to safely reopen.



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FOR IMMEDIATE RELEASE
May 20, 2020

Bucks County House Republicans Introduce Legislation to Give Counties Power to Safely Reopen

HARRISBURG—Rep. Frank Farry (R- Langhorne) has introduced House Bill 2541 to allow local county commissioners, in consultation with local health officials, to reopen businesses in counties during a health emergency if certain criteria are met.

"The criteria for reopening laid out by the state has been arbitrary and illogical," Farry said. "The state refuses to acknowledge the progress made by the Bucks County Department of Health with contact tracing, which shows limited community spread."

Twitter Action - MoCs on Legislation

- Senator Bob Casey, @SenBobCasey, [05/22/20](#):

"When World War II was won, we showed our gratitude to those who helped to secure that victory with the GI bill. Now we need a new GI bill for health care workers returning from their #COVID19 service. I'm calling on Congress to pass my Pandemic Responders Service Award Act." *tweeted with embedded video*

- Senator Pat Toomey, @SenToomey, [05/21/20](#):

"The CCP wants to end #HongKong's autonomy and crush the basic rights and freedoms of Hong Kongers. A new, bipartisan bill from @ChrisVanHollen and me will impose strict sanctions on the CCP officials responsible and any banks they transact with." *tweeted with a link to the senator's official [website statement](#)*

- PA-01's Rep. Brian Fitzpatrick, @RepBrianFitz, [05/20/20](#):

"Tens of thousands are fighting ALS right now, and they need our support. As co-chair of the ALS Caucus, I am proud to introduce this resolution designating May as ALS Awareness Month with my co-chairs @RepJasonCrow, @KenCalvert, and @RepTerriSewell.

Tweet of the Week

- **Senator Bob Casey, @SenBobCasey, [05/22/20](#):**
"Hope will never be silent."

Harvey Milk showed the Nation the importance of standing up for what's right, even when it's difficult. May we honor his life and legacy by fighting for a more equitable, inclusive world for the #LGBTQ+ community. #HarveyMilkDay"

- **PA-01's Rep. Brian Fitzpatrick, @RepBrianFitz, [05/22/20](#):**

"The frontline healthcare workers in our community deserve all of our respect and appreciation. They courageously show up to work every day to save the lives of others. I joined our heroes at @stmarymed to thank our healthcare workers & honor those who we have lost. #InItTogether"



Casey in the News

Courtesy of contributor Linda Houk

"Senate Republicans are going to have the entire month of May — they've done zero on COVID-19. They're probably going to go through the entire month of June doing zero on COVID-19."

"So I guess they don't think taxpayers should get more help. I guess they believe that workers compensation support shouldn't continue through January. I guess they believe state and local governments should just go and lay off police officers and cut school funding."

—from an article on [KSN Four States Homepage](#), titled "[Republican and Democrat standoff around next coronavirus relief package](#)"

"This is a war against this virus. The soldiers on the battlefield fighting this war have been the frontline workers."

"We need to pass a heroes fund to make sure that we provide pandemic premium pay for essential workers. We have to do it by way of legislation, to help frontline workers transition to the next part of their lives and also help their families. It is critically important that we do that."

— from an article in the [Philly Metro](#), titled "[Pennsylvanians encouraged to vote by mail at #SaferAtHomePA Virtual Rally](#)"

“.05 percent of the population, yet one-third of the deaths are at nursing home and long-term care centers... We need to see specific evidence they are changing policy to give families, residents, and workers in nursing homes and other long-term care settings more information,”

—from an article in [WENY News](#), titled “[Senators: Nursing homes need more help in coronavirus fight](#)”

“Still to this day, we are trying to help those residents and workers with one hand tied behind our backs because the administration is not releasing data on operations in these facilities. It's unconscionable.”

—from an article on [Fox 56](#), titled “[Senator Bob Casey holds congressional hearing on impact of COVID-19 on seniors](#)”

Lastly, Senator Casey participated in an interview with the *Washington Examiner*, the responses from which were compiled into a piece titled “[Sen. Bob Casey tells Salena Zito about plan to help nursing homes get through crisis](#).” Key quotes from that article are included below:

- “I think the Senate's got to continue to focus on both the pandemic, as well as the economic devastation that's unfortunately begun to flow in its wake.

We've got to deal with both. And I don't think we have any choice but to do that. At some point, there's going to be an engagement about what do you do about the fact that you're running up debt to meet this crisis? Well, the last time I checked in our society, unless someone can tell me otherwise, the federal government is the only level of government that can run up debt. So no one else can really do this, no other level of government can do it. And there's no other entity. The private sector can't do this, they're having their own problems.

We're kind of the only show in town for getting dollars and good policy out the door. Some of us have been very — it's not like we're bipartisan, but it's been good.

We'd be in a lot worse shape without the Paycheck Protection Program, without the direct payments to individuals and families, without the additional unemployment compensation, without the public health investments. So we have to keep going, even though it's difficult because you're expending a dollar amount over a few months that you normally would spend over three years. And that number could go up. And you're making policy quickly sometimes, and there will be gaps in the exacts and shortcomings, but we got to keep going because the virus, unfortunately, is in charge.”

- “I would prefer in the Senate, if we're going to be in Washington, and we're working on a COVID-19 related issues, not voting on nominations. Today, for example, we're working on the Foreign Intelligence Surveillance Act. That's obviously a national security issue that you've got to work on. But other than something that serious or that, something facing a deadline that is an important, highly important matter, I don't think we should be doing nominations of any kind when you've got COVID-19 work to be done.

But Mitch McConnell has chosen otherwise. I just think we have to use our time like we have been using it, which is staying engaged with our states, learning from that, and using that information and that sometimes information and inspiration to have a policy in place that deals with the virus and helps those that need help in the economic crisis.”

- “The impact of isolation can be as bad to your health as smoking a couple packs of cigarettes every day. In other words, isolation can have an adverse physical impact that can be as bad as smoking too many cigarettes. I mean, that's how bad it can be generally. But just imagine if someone is used to having interaction with their family, and then that's all shut off.”

There is one bill I should mention, and it's bipartisan. Sen. Amy Klobuchar and I got on a bill with Shelley Moore Capito from West Virginia, and it's about providing some support for technology in

these settings like nursing homes so that the folks can communicate with their loved ones that way. So they're not completely shut off or isolated."

Fitzpatrick in the News

Compiled with the research assistance of volunteer, CC

"This is an unprecedented period of time we are going through. We asked our donors to contribute to local charities such the Opportunity Council Rolling Harvest Food Rescue and the Code Blue groups; the positive to come out of this is the relationships we've built with the non profit world. It's not campaign related, but we are viewing it differently, contributing to service rather than just on re-election."

"Everything that required in-person contact before is not happening. If someone wants a sign, it's left outside by a door. There is no door-to-door canvassing, no going to events and shaking hands. It's a different form of interacting, focusing on public safety and doing this remotely as much as we can."

— from a [Bucks County Courier Times](#) article titled "[Campaigning, social-distancing style](#)"

"I'm going to do what I'm asking everyone in our community to do, which is to allow the campaign to unfold, to hear both candidates, let them make their cases and make a decision... One of the things I really like about our region, particularly our community, is partisanship for the vast majority of voters is not the most important thing to them."

— from a [Philadelphia Inquirer](#) article titled "[A 'slice of America' Bucks County district should be a battleground. But Democrats need 'a perfect storm' to win.](#)"

"Our communities need our help, and they need it now. The financial relief provided by the CARES Act is a start, but more funding is needed to fight COVID-19. The bipartisan SMART Fund is a commonsense proposal to provide much needed assistance to communities across the country. I am proud to join my bipartisan colleagues in putting forward a plan to assist those in need."

— from an article on the [News Talk WHCU](#) website titled "[Congressman Tom Reed introduces 'SMART' fund to support local municipalities](#)"

"There are approximately 5,000 new ALS diagnoses per year in the United States, each one bringing a new set of challenges and difficulties to American families. They need our support on the federal level to support enhanced research and treatment options."

— from a [Ripon Advance](#) blog post titled "[Fitzpatrick, Calvert lead resolution to raise awareness of ALS](#)"

FITZPATRICK [FACEBOOK POST](#) of NOTE

"We must stop all attempts to bring so-called 'safe injection sites' into our community. Our goal for helping those in recovery must be to give them a light at the end of the tunnel, and hope for the future. This approach does neither, and I'm proud to partner with Senator Pat Toomey to protect our community and our children from this misguided and dangerous proposal."

- *The Congressman shared this on his campaign page, but has not expressed any position on this issue on his official page, despite being a co-chair of the Bipartisan Heroin Task Force*

Toomey in the News

Courtesy of contributor Elayne Baker

"Why would you load up the money cannon again, and fire that off, when a majority of the biggest monstrosity we've ever even contemplated hasn't even been deployed yet?"

— from a [05/20/20 article on NBC News](#) titled [“Republican senators still cool to more coronavirus relief spending, but willing to talk about PPP revamp”](#)

“Before we rush out and do another spending bill, we should actually let some of this stuff go to work.”

— from a [05/22/20 Vox article](#) titled [“The Senate won’t consider more coronavirus stimulus until early June”](#)

“I want to help figure out how we get kids playing sports again safely, especially baseball and softball. As the father of three kids, including a 10-year-old, I have a real personal interest in this.”

— from a [05/21/20 article on the website of the local Pittsburgh CBS affiliate](#) titled [“Sen. Pat Toomey Talks With Athletes And Health Experts About Safely Resuming”](#)

“I think it is time that we begin resuming normal life... The findings and the data lend themselves to the conclusion, that I think anyway, that we can resume youth recreation and we can do it safely, especially if we continue the common-sense practices that we know that reduce the rate of transmission.”

— from a [05/21/20 article on the website of the local Philadelphia CBS affiliate](#) titled [“Sen. Toomey Would Sign 10-Year-Old Son Up For Baseball ‘Tomorrow’ As Little League Offers Best Practices For Return”](#)

“It is clear that aggressive measures should have been taken in Pennsylvania to protect nursing home residents and prevent outbreaks in long-term care facilities, particularly in those the PA Department of Health knew were ill-equipped to control the spread of the virus.”

— from a [05/21/20 Breitbart article](#) titled [“Pennsylvania Republicans Torch ‘Petty Tyrants’ Tom Wolf, Rachel Levine over Nursing Homes”](#)

“I think it’s worth remembering why we shut down the economy in the first place. It was a very specific reason, and that was to prevent the virus from spreading so rapidly that so many people would get sick so quickly that we would overwhelm our hospitals. Well, it’s been clear for weeks now that we’re not going to overwhelm our hospitals – certainly not in Pennsylvania – and I know not in most of the country. And so, I think it’s essential that we begin the process of carefully, thoughtfully, and safely reopening the economy.”

“That’s [\$6 trillion] like 30 percent of our entire annual economic output, and, in fact, more than half of it has not yet been spent or lent. So, I think you can make a pretty strong case that before we rush out and do another spending bill, we actually let some of this stuff go to work and understand the consequences of what we’ve already done.”

— from a [05/21/20 MyChesCo article](#) titled [“Toomey Questions to Powell, Mnuchin Focus on Safely Reopening Economy and Consequences of Massive Spending”](#)

“It is perfectly OK for the president of the United States to come in and draw attention to the great work that they’re doing.”

— from a [05/15/20 CBS News article](#) titled [“No rallies, but Trump gives White House trips some campaign flair”](#)

Senator Toomey participated in an interview with *PBS NewsHour*, who published his prolonged response in an article titled [“Sen. Toomey on why he doesn’t support more federal aid for states right now.”](#)

Segments from that pages-long response are included below:

- “The government made it — you know, just forbid economic activity, forbid people from earning a livelihood. There was a very specific and clearly articulated reason for doing that, and the reason was to prevent the spread of the virus from happening so quickly that so many people would get sick all at once that they would overwhelm our hospital capacities... It has been abundantly clear for weeks now that we’re not going to overwhelm our hospitals. We have all kinds of excess capacity in hospitals.

- “At this point, I really think the best course of action is to proceed with a cautious, prudent reopening that includes the kinds of measures that we all have learned, the CDC guidelines of keeping physical distance and wearing masks and washing hands... I think the risk is much, much lower. We know much more about this. We have much greater capacity to fight any kind of resurgence of the virus. And we need people to be able to get back to having a livelihood.”
- “But the fact is, 30-year-old factory workers are not vulnerable anything like older folks are. And with the safety precautions that the CDC recommends, they can be kept safe.”
- “I think, given that we have spent hundreds of billions of dollars to the states, it's probably time to pause and say, well, what exactly are the other needs, why did they arise, and whether it's appropriate for that to be dealt with at a state and local level or the federal level, and that's a subject for a robust debate.”
- “There's no free lunch. This doesn't come at zero cost. If it did, if there were no cost to just distributing money, then we could just send a million-dollar check to every man, woman, and child in the country. And everything would be great... I don't think anybody thinks that you can actually do that and not have really, really dire consequences. We have pumped out trillions of dollars in matter of weeks. Nothing like this has ever handed before.”
- “Other states are essentially insolvent. They have been extremely imprudent. And it is going to be difficult to figure out, well, why do the taxpayers of the states that have been more cautious, prudent, why are they supposed to subsidize the other states? And what's the formula by which we do that? I'm not sure anybody's got an easy answer to that just yet.”

Learning about Legislation - the first Memorial Day

*In honor of Memorial Day, MoCTrack would like to share with you this article from **History.com**, about one of our nation's first Memorial Day commemorations. This is an episode in our nation's history that your MoCTrack editor did not learn about in school... Please read this article by Dave Roos titled [“One of the Earliest Memorial Day Ceremonies Was Held by Freed Slaves.”](#)*

Memorial Day was born out of necessity. After the American Civil War, a battered United States was faced with the task of burying and honoring the 600,000 to 800,000 Union and Confederate soldiers who had died in the single bloodiest military conflict in American history. The first national commemoration of Memorial Day was held in Arlington National Cemetery on May 30, 1868, where both Union and Confederate soldiers are buried.

Several towns and cities across America claim to have observed their own earlier versions of Memorial Day or “Decoration Day” as early as 1866. (The earlier name is derived from the fact that decorating graves was and remains a central activity of Memorial Day.) But it wasn't until a remarkable discovery in a dusty Harvard University archive the late 1990s that historians learned about a Memorial Day commemoration organized by a group of freed black slaves less than a month after the Confederacy surrendered in 1865.

Back in 1996, David Blight, a professor of American History at Yale University, was researching a book on the Civil War when he had one of those once-in-a-career eureka moments. A curator at Harvard's Houghton Library asked if he wanted to look through two boxes of unsorted material from Union veterans.

“There was a file labeled ‘First Decoration Day,’” remembers Blight, still amazed at his good fortune. “And inside on a piece of cardboard was a narrative handwritten by an old veteran, plus a date referencing an article in The New York Tribune. That narrative told the essence of the story that I ended up telling in my book, of this march on the race track in 1865.”

The racetrack in question was the Washington Race Course and Jockey Club in Charleston, South Carolina. In the late stages of the Civil War, the Confederate army transformed the formerly posh country club into a makeshift prison for Union captives. More than 260 Union soldiers died from disease and exposure while being held in the racetrack's open-air infield. Their bodies were hastily buried in a mass grave behind the grandstands.

When Charleston fell and Confederate troops evacuated the badly damaged city, freed slaves remained. One of the first things those emancipated men and women did was to give the fallen Union prisoners a proper burial. They exhumed the mass grave and reinterred the bodies in a new cemetery with a tall whitewashed fence inscribed with the words: "Martyrs of the Race Course."

And then on May 1, 1865, something even more extraordinary happened. According to two reports that Blight found in *The New York Tribune* and *The Charleston Courier*, a crowd of 10,000 people, mostly freed slaves with some white missionaries, staged a parade around the racetrack. Three thousand black schoolchildren carried bouquets of flowers and sang "John Brown's Body." Members of the famed 54th Massachusetts and other black Union regiments were in attendance and performed double-time marches. Black ministers recited verses from the Bible.

If the news reports are accurate, the 1865 gathering at the Charleston racetrack would be the earliest Memorial Day commemoration on record. Blight excitedly called the Avery Institute of Afro-American History and Culture at the College of Charleston, looking for more information on the historic event.

"I've never heard of it, they told me," says Blight. "This never happened."

But it was clear from the newspaper reports that a Memorial Day observance was organized by freed slaves in Charleston at least a year before other U.S. cities and three years before the first national observance. How had been lost to history for over a century?

"This was a story that had really been suppressed both in the local memory and certainly the national memory," says Blight. "But nobody who had witnessed it could ever have forgotten it."

Blight kept digging for more information, but the only other mention he found of the race track event was in a 1916 correspondence sent from a women's Civil War historical society in New Orleans to its sister chapter in Charleston, asking about a big parade of freed slaves on a horse track at the end of the war.

"I regret that I was unable to gather any official information in answer to this," wrote the Charleston society's president.

"That's such a telling statement," says Blight. "The woman who wrote that letter may not have known about it, but the fact that she didn't tells the story."

Once the war was over and Charleston was rebuilt in the 1880s, the city's white residents likely had little interest in remembering an event held by former slaves to celebrate the Union dead. "That didn't fit their version of what the war was all about," says Blight.

In time, the old horse track and country club were torn down, and thanks to a gift from a wealthy Northern patron, the Union soldiers' graves were moved from the humble white-fenced graveyard in Charleston to the Beaufort National Cemetery. By the time Blight was rummaging through the Harvard archives in 1996, the story of the first Memorial Day had been entirely forgotten.

Or perhaps not entirely.

After his book *Race and Reunion* was published in 2001, Blight gave a talk about Memorial Day at the Smithsonian National Museum of American History, and after it was finished, an older black woman approached him.

“You mean that story is true?” the woman asked Blight. “I grew up in Charleston, and my granddaddy used to tell us this story of a parade at the old racetrack, and we never knew whether to believe him or not. You mean that’s true?”

For Blight, it’s less important whether the 1865 commemoration of the “Martyrs of the Race Course” is officially recognized as the first Memorial Day.

“It’s the fact that this occurred in Charleston at a cemetery site for the Union dead in a city where the Civil war had begun,” says Blight, “and that it was organized and done by African-American former slaves is what gives it such poignancy.”

This report was brought to you by the Pennsylvania MoCTrack team...

CC

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We are seeking additional assistance. Our Congresspeople are always busy and there is always more for us to cover — tasks big and small to fit any level of time commitment or experience. Can you help us out? Please email KierstynPZ@gmail.com and put "MoCTrack Help" in the subject. Thanks!